REMARKS

By this Amendment, claims 155, 158, 176 and 177 have been amended, and claims 178, 181, 190 and 192 have been canceled. Accordingly, claims 155, 156, 158-174, 176, 177, 179, 180, 182-185, 187, 189 and 191 are pending in the present application.

The objection to claims 155, 156, 158-174, 187 and 189 as not belonging to an elected species is noted. In response, the claims have been amended herein so as to include a "means for multiplexing data from at least two out of the first through Nth encoded data transmission means." Thus, claims 155, 156, 158-174, 187 and 189 now are included in the elected species VI. Accordingly, withdrawal of this objection is respectfully requested.

The objections to claim 181, 190 and 192 are deemed moot due to their cancellation.

Claims 177 and 178 stand rejected under 35 U.S.C. §112, first paragraph. In response, claim 177 has been amended so as to be consistent with the disclosure in the present specification, and claim 178 has been canceled. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 176 and 190-192 stand rejected under 35 U.S.C. §112, second paragraph. In response, the claims have been amended so as to be in full compliance with all §112 requirements. Accordingly, reconsideration and withdrawal of this rejection is respectfully requested.

Claims 176, 180-182 and 190-192 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2005/0111541 to Hatabu et al. in view of U.S. Patent Publication No. 2002/0003886 to Hillegass et al, and further in view of U.S. Patent No. 4,928,288 to D'Aria et al. Claims 177 and 178 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Hatabu, Hillegass and D'Aria, and further in view of U.S. Patent No. 5,528,284 to Iwami. Claim 179 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hatabu, Hillegass and D'Aria, and further in view of U.S. Patent No. 6,415,031 to Colligan. Claim 183 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hatabu, Hillegass and D'Aria, and

further in view of U.S. Patent No. 5,708,961 to Hylton. Claim 184 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hatabu, Hillegass and D'Aria, and further in view of the article by Tudor. Claim 185 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Hatabu, Hillegass and D'Aria, and further in view of U.S. Patent No. 6,778,501 to Malmgren. Applicants respectfully traverse these rejections as they relate to the claims currently pending as noted above.

Claims 155, 156, 158-174, 187 and 189

Among the limitations of independent claims 155 and 158 which are neither disclosed nor suggested in the art of record is a content distribution apparatus that includes "call connection processing means for controlling call connection between the content distribution apparatus and a content receiving apparatus;" and "means for controlling session information notified by the call connection processing means to the content receiving apparatus among first through Nth distribution sessions to control quality level and quality stability of content to be reproduced by the content receiving apparatus."

Hatabu et al. is directed to a moving picture transmission system for encoding and sending moving picture data and for receiving and decoding the encoded data. However, nowhere does Hatabu et al. disclose or suggest "call connection processing means for controlling call connection between the content distribution apparatus and a content receiving apparatus;" and "means for controlling session information notified by the call connection processing means to the content receiving apparatus among first through Nth distribution sessions to control quality level and quality stability of content to be reproduced by the content receiving apparatus." Accordingly, Hatabu et al. does not anticipate or render obvious independent claims 155 and 158.

Neither Iwami, Bhatt, Colligan, Kazunori, Alao, Kung, Kikuchi, Oshima, Hylton, the article by Tudor nor Malmgren remedy any of the deficiencies of Hatabu et al. None of these references disclose or suggest the call connection processing means or the means for controlling session information. Thus, even of one were to combine the teachings of these references, one would not arrive at the present invention as defined in independent claims 155 and 158.

Accordingly, it is respectfully submitted that independent claims 155 and 158 patentably distinguish over the art of record.

Claims 156, 162-174 and 187 depend either directly or indirectly from independent claim 155 and include all of the limitations found therein. Claims 159-161 and 189 depend either directly or indirectly from independent claim 158 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 156, 159-174, 187 and 189 are likewise patentable.

Claims 176, 177, 179, 180, 182-185 and 191

Among the limitations of independent claim 176 which are neither disclosed nor suggested in the art of record is a content receiving apparatus that includes, *inter alia*:

> means for extracting the encoded data received with no transmission error and no dropout from among the received data and for restoring the encoded data using the error correction code data when the transmission error or the dropout is present to reconstruct the encoded data; and
>
> means for selecting whether to receive the error correction code data when receiving at least two of the error correction code data or the error correction code data used in error correction processing, based on at least one of:
>
> error/loss rate of received data;
> error/loss state of data on a transmission path;
> error correction encoding scheme;
> available power; and
> setting set in advance.

Neither Hatabu et al., Iwami, Bhatt, Colligan, Kazunori, Alao, Kung, Kikuchi, Oshima, Hylton, the article by Tudor nor Malmgren disclose or suggest at least the above-noted limitations of independent claims 176 and 191, let alone the other specific limitations recited therein. Thus, even of one were to combine the teachings of these references, one would not arrive at the present

invention as defined in independent claims 176 and 191. Accordingly, it is respectfully submitted that independent claims 176 and 191 patentably distinguish over the art of record.

Claims 177, 179, 180 and 182-185 depend either directly or indirectly from independent claim 176 and include all of the limitations found therein. Each of these dependent claims include additional limitations which, in combination with the limitations of the claims from which they depend, are neither disclosed nor suggested in the art of record. Accordingly, claims 177, 179, 180 and 182-185 are likewise patentable.

In view of the foregoing, favorable consideration of the amendments to claims 155, 158, 176 and 177, and allowance of the present application with claims 155, 156, 158-174, 176, 177, 179, 180, 182-185, 187, 189 and 191 is respectfully and earnestly solicited.

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